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UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

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| <p>APOTHECARY MOVEMENT, LLC, a Utah<br/>limited liability company,</p> <p>Plaintiff,</p> <p>vs.</p> <p>BH ELEGANT LINENS, LLC dbas AA<br/>WHOLESALE DEALS a New York limited<br/>liability company,</p> <p>Defendant.</p> | <p>Case No.: 2:23cv00845-HCN-DAO</p> <p><b>OBJECTION TO EVIDENCE<br/>INTRODUCED IN REPLY IN<br/>SUPPORT OF MOTION TO DISMISS<br/>[DOC 93]</b></p> <p>Judge Howard C. Nielson, Jr.</p> |
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COMES NOW, Plaintiff, through counsel, and pursuant to DUCivR 7-1(b)(3), and respectfully submits this *Objection to Evidence in Reply in Support of Motion to Dismiss* (Doc 93).

Defendant's *Reply* introduces for consideration a screenshot of a WhatsApp message, Exhibit 2 to Docket Entry 70-1. (*See Reply* at 5). However, that exhibit is an incomplete record. Notably, it does not show the date of the messages.

Under Federal Rules of Evidence, Rule 106, an opposing party may introduce additional portions of a document or related statements that are necessary to provide context or fairness to other evidence. Therefore, rather than considering an incomplete document, courts may consider a more complete record to ensure fairness and clarity.

Submitted herewith as Exhibit A is a screenshot of the message thread which includes the date. Notably, the date and time of the WhatsApp messages are July 15, 2022, beginning at 7:27 pm. When considering Defendant's Amazon message soliciting business from Plaintiff (*see Shaikh Declaration Exhibit 1*, Doc 92-1), this Court will note that Defendant's message was sent on Friday, July 15, 2022, at 4:26 pm. The WhatsApp message sent by Plaintiff to Defendant was sent after Defendant's original solicitation of business from Plaintiff.

### **Conclusion**

This Court should not consider the incomplete WhatsApp message submitted by Defendant in isolation. In the interest of fairness and clarity, this Court should accept Exhibit A hereto for purposes of determining the timing of the various communications at issue in the *Motion to Dismiss*.

DATED this 2nd day of July 2025.

CAMERON RINGWOOD, LC

/s/ Jordan K. Cameron  
Jordan K. Cameron

**Certificate of Service**

I, the undersigned, certify that on this 2nd day of July 2025, I caused a true and correct copy of the foregoing to be served via ECF filing on the following:

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